

# FISCAL NOTE

**Bill #:** SB0374

**Title:** Exempt local waste hauler from  
overweight fines on route to landfill

**Primary**

**Sponsor:** J. D. Lynch

**Status:** As introduced

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Sponsor signature	Date	Dave Lewis, Budget Director	Date
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## Fiscal Summary

	<b><u>FY2000</u></b> <b><u>Difference</u></b>	<b><u>FY2001</u></b> <b><u>Difference</u></b>
<b>Expenditures:</b>	\$0	\$0
<b>Revenue:</b>		
General Fund	(\$250)	(\$250)
State Special Revenue	\$40	\$40
Other County General Fund	(\$250)	(\$250)
<b>Net Impact on General Fund Balance:</b>	<b>(\$250)</b>	<b>(\$250)</b>

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<b><u>Yes</u></b>	<b><u>No</u></b>		<b><u>Yes</u></b>	<b><u>No</u></b>	
	X	Significant Local Gov. Impact		X	Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts

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## Fiscal Analysis

### ASSUMPTIONS:

1. 61-10-144, MCA, allows the department to issue a permit to a vehicle which, when weighed at the first open scale, exceeds legal weight by not more than 7%. The cost of this permit is \$10.
2. During calendar year 1998, twenty-five (25) 7% permits were issued to vehicles hauling garbage for a total of \$250. (25 \* \$10 = \$250)
3. During calendar year 1998, four (4) notice to appear (citations) were issued to garbage-hauling vehicles in excess of 7% but not over 10% overweight. Total fines collected: \$505.
4. During calendar year 1998, thirty-eight (38) notice to appear (citations) were issued to garbage-hauling vehicles which exceeded 10% overweight. Total fines collected: \$11,284.

5. If SB374 is enacted into law, the four (4) vehicles which exceeded 7% but did not exceed 10% would not receive citations, but four (4) \$10 permits would be purchased. Revenue to the state general fund and to the county general fund would be decreased. Fines, penalties and forfeitures paid to justice court under 3-10-601, MCA, are distributed to the state general fund – 50% and to the county general fund – 50%. A reduction of \$252.50 to each fund would result. ( $\$505/2 = \$252.50$ )
6. Purchase of four (4) \$10 permits for the vehicles operating in excess of 7% but not over 10% would be an increase of \$40 to the state special revenue fund.
7. Fines and forfeitures for vehicles over 10% would remain the same.
8. If the penalty for overweight is raised to + 10%, additional garbage haulers may increase payloads from + 7% to + 10%, resulting in the purchase of additional \$10 permits. The number is unknown.
9. Numbers in fiscal impact section are rounded.

FISCAL IMPACT:

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
<u>Revenues:</u>		
General Fund (01)	(\$250)	(\$250)
State Special Revenue (02)	\$40	\$40
Other County General Fund	(\$250)	(\$250)
<u>Net Impact to Fund Balance (Revenue minus Expenditure):</u>		
General Fund (01)	(\$250)	(\$250)
State Special Revenue (02)	\$40	\$40
Other County General Fund	(\$250)	(\$250)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

A decrease of \$252.50 to the county general fund.